

## **RESOLUTION 2004-35**

**A RESOLUTION ADOPTING 68 IAC 1-5-1, 68 IAC 2-3-5, 68 IAC 2-3-6, 68 IAC 2-3-9, 68 IAC 2-6-49, 68 IAC 2-7-12, 68 IAC 5-3-2, 68 IAC 5-3-7, 68 IAC 8-1-11, 68 IAC 8-2-29, 68 IAC 9-4-8, 68 IAC 11-1-8, 68 IAC 12-1-15, 68 IAC 15-1-8, 68 IAC 16-1-16, 68 IAC 17-1-5, 68 IAC 17-2-6, 68 IAC 18-1-6, 68 IAC 10-1-5, 68 IAC 11-3-1, 68 IAC 14-4-8, 68 IAC 14-5-6, 68 IAC 15-9-4, 68 IAC 15-10-4.1, 68 IAC 15-13-2.5, AND 68 IAC 18-1-2 AS FINAL RULES.**

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33 and pursuant to 68 IAC 1-2-6.

The Commission has considered the following factors:

1. The Commission has begun promulgation of these rules pursuant to IC 4-22. These rules were published as proposed rules in the July 1, 2004 edition of the *Indiana Register*, Volume 27, Number 10, starting on page 3108 and again on page 3115.
2. The Commission held a public hearing on these rules on July 21, 2004 in compliance with IC 4-22. There were no oral comments made at the hearing. The Commission received one letter, which provided comments to one of the proposed rule changes. These comments have been considered by the Commission, but no changes were made to the proposed rules.
3. The promulgation process for the final promulgation of the rule document will take several months.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED.**

### **SECTION 1. SCOPE.**

This RESOLUTION applies to each applicant, each licensee, each riverboat license applicant, each operating agent, any person who does business with an applicant or licensee, and any person who is a patron of a Riverboat Gambling Operation.

### **SECTION 2. DEFINITIONS.**

The definitions set forth in IC 4-33-2 and 68 IAC apply to this resolution.

### **SECTION 3. ADOPTION OF THE PROPOSED RULES AND AMENDMENTS.**

The Commission adopts the following proposed rules pending the promulgation process:

Article 15 Accounting records and procedures  
68 IAC 15-13-2.5 Pouch pay jackpots

The Commission adopts the following amendments to rules that have been fully promulgated:

Article 1 General Provisions

68 IAC 1-5-1 Obligation to report certain events

Article 2 Licenses and Approval of Associated Equipment

68 IAC 2-3-5 Licensing procedures

68 IAC 2-3-6 Identification badge

68 IAC 2-3-9 Duty to maintain suitability; duty to disclose

68 IAC 2-6-49 Reports by the executive director

68 IAC 2-7-12 Reports by the executive director

Article 5 Transfer of ownership

68 IAC 5-3-2 Commission approval required; approval process

68 IAC 5-3-7 Reports by the executive director

Article 8 Public safety and excursions

68 IAC 8-1-11 Reports by the executive director

68 IAC 8-2-29 Reports by the executive director

Article 9 Ethics

68 IAC 9-4-8 Reports by the executive director

Article 10 Conduct of gaming

68 IAC 10-1-5 Table limits

Article 11 Internal control procedures

68 IAC 11-1-8 Reports by the executive director

68 IAC 11-3-1 General Provisions

Article 12 Security and surveillance

68 IAC 12-1-15 Reports by the executive director

Article 14 Gaming equipment

68 IAC 14-4-8 Destruction of chips

68 IAC 14-5-6 Destruction of tokens

Article 15 Accounting records and procedures

68 IAC 15-1-8 Reports by the executive director

68 IAC 15-9-4 Chips and tokens redeemed by nongaming occupational licensees

68 IAC 15-10-4.1 Cage variances

Article 16 Credit

68 IAC 16-1-16 Reports by the executive director

Article 17 Movement of gaming equipment  
68 IAC 17-1-5 Reports by the executive director  
68 IAC 17-2-6 Reports by the executive director

Article 18 Dispute procedures  
68 IAC 18-1-2 Patron dispute process  
68 IAC 18-1-6 Reports by the executive director

Pursuant to IC 4-22-2-27 through IC 4-22-2-30, the Commission adopts these rules, which will be forwarded to the Office of the Attorney General for approval as final rules pursuant to IC 4-22-2-32. Upon approval by the Office of the Attorney General, the rules will be submitted to the Governor's Office for approval pursuant to IC 4-22-2-33. After the rules have been approved or deemed approved by the Governor, the rules will be submitted to the Secretary of State for filing in accordance with IC 4-22-2-35. The Commission further adopts any stylistic, grammatical, typographical, or other nonsubstantive changes that the Commission or the Legislative Services Agency may make to the above rules before they are printed as final rules in the *Indiana Register*.

#### **SECTION 4. EFFECTIVE DATE.**

This RESOLUTION is effective immediately.

#### **SECTION 5. EXPIRATION DATE.**

This RESOLUTION expires thirty (30) days from the date and time that the Secretary of State accepts the rules listed in Section 3 for filing as final rules.

**ADOPTED, THIS THE 5<sup>th</sup> DAY OF AUGUST, 2004:**

**THE INDIANA GAMING COMMISSION:**

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**Donald R. Vowels, Chair**

**ATTEST:**

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**Thomas Milcarek, Secretary**